

Regular meeting of the Haworth Zoning Board of Adjustment on October 2, 2018, at the Municipal Center.

PRESENT: Dennis Posen, Chairman
Richard Ehrenberg
Catharine Luby
Joseph Panzella
John Paquet, Secretary/Treasurer
David Roth
Laura Weingartner, Alternate 1

Alexander West, Board Attorney-
Andrew Rosenberg, Council Liaison

ABSENT Jeffrey Lester, Vice Chairman

Joseph Vince, Board Engineer
Paul Renaud, Building Official

Mr. Posen called the meeting to order and upon roll call, the above Members were present. Mr. Lester gave notice that he would not be able to attend this meeting.

Due notice of this meeting was given in accordance with the New Jersey Open Public Meetings Act.

In essence, the following transpired.

Mr. Posen noted that there would be a Closed Session at the end of the meeting.

ACCEPTANCE OF THE MINUTES

Mr. Posen announced that, with the Board's permission, he wished to defer acceptance the minutes to the next meeting since they pertained to the St. Gabriel's Church Application.

The Board agreed.

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CORRESPONDENCE

- Borough Ordinance 18-5 Land Use Regulations
Mr. Posen distributed copies to the Board
- Letter dated October 1, 2018 from Michael Lubin, representing the White Beeches Country Club, relating to the special meeting on October 16th for the St. Gabriel's Church Application.

CHANG APPLICATION

Mr. Capizzi, of Tenafly, New Jersey, appeared on behalf of the applicant.

Mr. Capizzi stated that the Changs had a 2 ½ bedroom house and they wished to create a more formal living space and were proposing an addition and renovation to their single-family house. He went over the dimensions and non-conformances. Mr. Capizzi stated that the second-story addition would be directly attached to the top of the first floor and they would need 2 ½ inches and an additional 3 ft. of depth for the mud room on the first floor, as well as a fire place. He said that the house was now undersized.

Mr. Capizzi stated that Mr. Brown, the architect, was not available this evening so Mr. Blake was asked to review the Site Plan.

Mr. Ehrenberg noted that the Site Plan was missing the markings which indicated the information on what was being added and changed.

Mr. Capizzi responded that there was a Survey on the cover sheet. Reference was made to the dimensions in Mr. Renaud's letter of denial.

Mr. Posen asked if they had anything else to submit, including photos of the subject property, but there were none. It was noted that they did not present everything on the checklist.

Mr. Blake, an architect with offices in Bergenfield, New Jersey, was sworn in. It was noted that he did not prepare the drawings.

Mr. Blake's credentials were reviewed and he was accepted by the Board.

Mr. West marked the 2-page Site Plan as Exhibit A-1

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Mr. Blake reviewed the location of the first-floor proposed additions and stated that they were minor. He said that they had a small 3 X 5 mud room right now, which projected out and they also wished to install a fire place so they needed to extend into the side yard. Mr. Blake stated that they would not be making that set back any worse. He said that there would be a small landing covered by the roof extension.

Mr. Blake described the proposed bedroom suite, which would align with the first floor but, which would exacerbate the extension on the first floor. He said there was a driveway and their neighbor's 15 ft. side yard on the side of the mudroom going into the kitchen. Mr. Blake stated that it would have a positive aesthetic impact and would be a more functional home. He reiterated that the variances would be very minor and would fit into the neighborhood.

Mr. Blake stated that the front of the house would remain pretty much the same and the facing on the chimney would be siding.

Mr. Ehrenberg referred to the Schedule of Limitations. He said that it was being said that a change of 13.59 ft. to 13.80 ft. but it seemed to be conflicting with Mr. Renaud's letter, stating that there would be 2 ft. on one side and 6 ft. on the other side.

Mr. Capizzi responded that he discussed it with Mr. Renaud and the Building Official asked him to correct the dismissal letter.

Upon questioning by Mr. Posen, Mrs. Chang stated that it would be a wood-burning fireplace with a gas starter.

There was discussion relating to how it should be set up and Mr. Capizzi stated that there would be a foundation.

Mr. Posen stated that he was not convinced about the nudge out for the mud room.

There was discussion about where the property ended, the distance from their neighbor and the driveway.

Mr. Blake stated that it looked as though there would be 3 to 4 ft. of grass after the driveway and the neighbor had a 15 ft. or more side yard.

Mr. Capizzi stated that Mrs. Chang had met with her neighbor and this was discussed.

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Nina Chang, of 81 Beacon Street, was sworn in. She stated that she sat down with her neighbor to review the Plan and also sent out letters to her neighbors.

There was no further testimony or questions.

Mr. Posen entertained a motion.

Mr. Ehrenberg moved to approve the application.

Seconded by Mr. Paquet.

Mr. Paquet stated that he wanted to have a provision in the Resolution stating that they could not add a second story over the mud room.

Mr. Capizzi replied that it would not be an issue.

Mr. Ehrenberg agreed with the provision.

Upon roll call, the vote went as follows: Yes - Mr. Ehrenberg, Mr. Paquet, Mrs. Luby, Mr. Panzella, Mr. Roth, Mrs. Weingartner, and Mr. Posen; No - none. Motion carried.

Mr. Posen closed the public portion of the meeting to go into Closed Session to discuss litigation matters relating to the Samples and Mordini applications.

When discussion ended, Mr. Posen reopened the meeting to the public.

PERMITS

There was discussion about fences being installed without permits being issued. Additionally, there was discussion relating to existing fences, which were grandfathered.

Mr. West noted that in order for those fences to be legally grandfathered, the property owner must come before this Board and request a Certificate of Compliance. He further noted that Zoning Officers are required to submit a list of issued permits each year to the Zoning Board; however, this has not been done.

